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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 THE CITY AND COUNTY OF SAN  
15 FRANCISCO, CALIFORNIA and THE  
PEOPLE OF THE STATE OF  
16 CALIFORNIA, Acting by and through San  
Francisco City Attorney DAVID CHIU,

17 Plaintiffs,

18 v.

19 PURDUE PHARMA L.P., et al.

20 Defendants.  
21

Case No. 3:18-cv-07591-CRB-JSC

**STIPULATION AND [PROPOSED] ORDER  
AMENDING PLAINTIFF'S COMPLAINT**

Pursuant to Civil Local Rule 7-12 and Fed. R. Civ. P. 15(a)(2) the People of the State of California, acting by and through San Francisco City Attorney David Chiu, ("Plaintiff"), together with Defendants (the "Parties") respectfully submit this stipulation to allow Plaintiff to amend its complaint.

**WHEREAS**, Plaintiff informed Defendants and this Court on January 14, 2022 in the parties' Joint Statement, Dkt. 938, of its intention to withdraw its claim under California's False Advertising Law ("FAL"), Cal. Bus. & Prof. Code § 17500, et seq. (Count V) and the portions of Plaintiff's claim under California's Unfair Competition Law ("UCL"), Cal. Bus. & Prof. Code § 12500, et seq. (Count IV) that are predicated on violations of the FAL.

**WHEREAS**, the parties stipulate, pursuant to Fed. R. Civ. P. 15(a)(2), to allow amendment of Plaintiff's complaint to withdraw Claim V, relevant portions of Claim IV, and other references to the FAL and/or § 17500. *See* Dkt. 128 at 2-3 and ¶¶ 78, 908, 910-11, 914, 920-25 ("the Withdrawn Claims").

**WHEREAS**, these paragraphs and references constitute the entirety of Plaintiff's claim under the FAL as they relate to harm in and to San Francisco.

**WHEREAS**, the Parties agree that withdrawal of the aforementioned references and paragraphs will be with prejudice only as to the Withdrawn Claims as they are pled within the geographic limits of San Francisco, as set forth in the factual allegations of the operative complaint, and do not extend to FAL claims that have been or may be made with respect to or by other cities, counties, or the State of California.

**THE PARTIES THEREFORE STIPULATE, AGREE, AND REQUEST**, through their respective counsel of record, the Court order that Plaintiff's complaint is amended to reflect Plaintiff's withdrawal of its FAL allegations and claims.

DATED: March 2, 2022

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Respectfully submitted,

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DATED: March 2, 2022

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1 PURSUANT TO STIPULATION, **IT IS SO ORDERED.**

2 Dated: \_\_\_\_\_, 2022

3 \_\_\_\_\_  
4 CHARLES R. BREYER  
5 United States District Judge  
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**ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from the above signatories.

Dated: March 2, 2022

By: /s/ Tiffany R. Ellis

**CERTIFICATE OF SERVICE**

I hereby certify that, on March 2, 2022, service of this document was accomplished pursuant to the Court's electronic filing procedures by filing this document through the ECF system.

/s/ Tiffany R. Ellis  
Tiffany R. Ellis